

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA  
AT ANCHORAGE

ALASKA RENT-A-CAR, INC., )  
an Alaska Corporation, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
CENDANT CORPORATION, et al., )  
 )  
Defendants. ) Case No. 3:03-cv-29 [TMB]  
\_\_\_\_\_ )

**STIPULATION AND ORDER RE: DM 35, 36, AND 37**  
**REGARDING SCHEDULING**

Following hearings and mediation sessions with the parties the discovery Master finds and concludes and the parties agree as follows:

**DISPOSITIVE MOTIONS**

The Discovery Master interprets the Court's Orders to permit the filing of dispositive motions after the close of fact discovery. Fact discovery will close on April 25, 2006. The parties have agreed that the deadline for filing opposition to any pending motion for summary judgment shall be 45 days, and any reply shall be 15 days, and that all dispositive motions shall be filed on or before June 20, 2006.

In the event any authorized and scheduled depositions cannot be completed by April 25, 2006 the deposition(s) shall be completed as soon thereafter as possible but this event shall not otherwise extend discovery or affect the foregoing deadlines including, without limitation, the parties' right to commence motion practice on April 26, 2006.

**GENUINE SURPRISE**

In the event that either party claims "genuine surprise" as to any document, testimony or other fact identified or submitted by the other party during motion practice, the "surprised" party may without delay file an expedited discovery motion with the Discovery Master seeking limited additional discovery. If the Discovery Master finds "genuine surprise" he may permit additional discovery, but this shall not affect the April 25, 2006 deadline or other foregoing deadlines. In the absence of a supplemental order from the Discovery Master no party shall submit further written discovery requests.

**RULE 26 SUPPLEMENTAL DISCLOSURES**

Supplemental disclosures under Civil Rule 26 are due on April 17, 2006.

**WITNESS LISTS**

Final witness lists are due April 17 2006.

**EXPERT DISCOVERY**

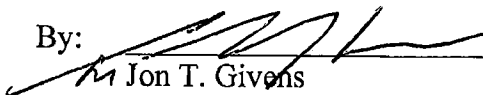
Expert reports shall be due September 1, 2006;

Supplemental/responsive expert reports shall be due September 21, 2006;

Expert discovery shall close November 1, 2006. The conduct of expert discovery will not delay the ability to certify the case is ready for trial.

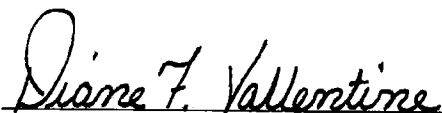
BANKSTON GRONNING O'HARA, PC  
Attorneys for Plaintiff Alaska Rent-A-Car, Inc.

DATED: 4/13/06

By:   
Jon T. Givens  
AK Bar #9011072

DLA PIPER RUDNICK GARY CARY LLP  
Attorneys for Defendants

DATED: 4/13/06

By:   
for John F. Dienelt  
Washington D.C. Bar #110742

JERMAIN, DUNNAGAN & OWENS PC  
Attorneys for Defendants

DATED: 4/13/06

By: Diane F. Vallentine  
Diane F. Vallentine  
AK Bar #7710177

IT IS RECOMMENDED.

DATED: 4-13-06

D B Ruskin  
DAVID B. RUSKIN  
Special Master

**ORDER**

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
TIMOTHY M. BURGESS  
Judge of the United States District Court

**CERTIFICATE OF SERVICE**

I hereby certify that on April 14, 2006 a copy of foregoing  
Stipulation and Order RE: DM 35, 36, and 37 Regarding Scheduling  
was served electronically on Jon T. Givens, Diane F. Vallentine  
and on

John F. Dienelt  
DLA Piper Rudnick Gary Cary US LLP  
1200 Nineteenth Street NW  
Washington, DC 20036-2430

Barry M. Heller  
DLA Piper Rudnick Gary Cary US LLP  
1775 Wiehle Avenue, Suite 400  
Reston, VA 20190-5159

by regular U.S. Mail

s/David B. Ruskin

Exhibit

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**U.S. District Court**

**District of Alaska**

Notice of Electronic Filing

The following transaction was received from EKS, entered on 4/17/2006 at 2:41 PM ADT and filed on 4/17/2006

**Case Name:** Alaska Rent-A-Car Incorporated v. Cendant Corp et al

**Case Number:** 3:03-cv-29

**Filer:**

**Document Number:** 153

**Docket Text:**

ORDER Court has reviewed the Stipulations and Discovery Master Recommendations at dockets 147, 148, 149, 150, and 151. It is ordered that the Stipulations and Recommendations are accepted. (EKS)

The following document(s) are associated with this transaction:

**3:03-cv-29 Notice will be electronically mailed to:**

Jon T. Givens jgivens@bankston.to, jvanderbrink@bankston.to

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**3:03-cv-29 Notice will be delivered by other means to:**

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Exhibit 1  
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